

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

DOMINIC THOMAS,	)	
	)	
Petitioner,	)	
v.	)	Civil Action
	)	No. 10-3495-CV-S-DGK-H
JUAN CASTILLO, Warden,	)	
United States Medical Center for	)	
Federal Prisoners,	)	
Respondent.	)	

**ORDER AND JUDGMENT**

Pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, the petition herein for a writ of habeas corpus was referred to the United States Magistrate for preliminary review under the provisions of 28 U.S.C. § 636(b).

The United States Magistrate has completed his preliminary review of the petition herein for a writ of habeas corpus and has submitted to the undersigned a report and recommendation that the petition be dismissed without prejudice.

Petitioner filed *pro se* exceptions to the Report and Recommendation of the Magistrate. He continues to allege that he has been denied medical care for his serious medical needs.

Having fully reviewed the record *de novo*, the Court agrees with the Magistrate that petitioner has failed to establish a constitutional violation. The record indicates that his medical complaints have been fully addressed, and he has not suffered deliberate indifference to his serious medical needs.

Based on the file and records in this case, it is concluded that the findings of fact,

conclusions of law, and proposed actions of the Magistrate are correct and should be approved. It is therefore

ORDERED that petitioner's exceptions filed herein be, and they are hereby, considered and overruled. It is further

ADJUDGED that petitioner be denied leave to proceed in forma pauperis, and that the petition herein for a writ of habeas corpus be, and it is hereby, dismissed without prejudice.

/s/ Greg Kays  
GREG KAYS  
United States District Judge

Date: November 4, 2011